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14	Telephone: (415) 551-9589 E-mail: <u>daniel.amador@sfgov.org</u>	PURSUANT TO GOVERNMENT	
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16	Attorneys for Plaintiff, The People of the State of California	000 10-570124	
	The Teople of the State of California	CGC-18-570124	
17	SUPERIOR COURT OF THE STATE OF CALIFORNIA		
18	SUPERIOR COURT OF TH	E STATE OF CALIFORNIA	
19	FOR THE COUNTY OF SAN FRANCISCO		
19	UNLIMITED JURISDICTIÓN		
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21]	
22	THE PEOPLE OF THE STATE OF CALIFORNIA,	Case No.	
22	Plaintiff,	COMPLAINT FOR INTENCTION ON T	
23		COMPLAINT FOR INJUNCTION, CIVIL PENALTIES, AND OTHER EQUITABLE	
24	ν.	RELIEF	
	UBER TECHNOLOGIES, INC.	(Bus. & Prof. Code, § 17200 et seq.)	
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	COMPLAINT FOR INJUNC	TIVE AND OTHER RELIEF	

People v. Uber Technologies, Inc.

THE PEOPLE OF THE STATE OF CALIFORNIA (hereinafter "Plaintiff"
 or "the People"), by and through its attorneys, XAVIER BECERRA, Attorney General of
 the State of California, and GEORGE GASCÓN, District Attorney for the City and County
 of San Francisco, bring this action against UBER TECHNOLOGIES, INC. ("UBER" or
 "Defendant") for violating Business and Professions Code, section 17200, *et seq.*, and
 allege the following on information and belief.

INTRODUCTION

8 2. In November 2016, UBER learned that hackers had downloaded the
9 personal data of millions of UBER customers and drivers that UBER had failed to
10 reasonably secure. Instead of notifying those affected and the Attorney General as required
11 by law, UBER deliberately covered up the data breach by paying the hackers \$100,000.

JURISDICTION AND VENUE

3. Defendant has transacted business within the State of California, including in the County of San Francisco, at all times relevant to this complaint. The violations of law described herein occurred in the County of San Francisco and elsewhere in the State of California.

DEFENDANT

Defendant UBER is a Delaware corporation with its principal place of
 business at 1455 Market Street, San Francisco, California 94103.

S. As used herein, any reference to "UBER" or "Defendant" shall mean Uber
Technologies, Inc., including all of its officers, directors, affiliates, subsidiaries and
divisions, predecessors, successors and assigns doing business in the United States.

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DEFENDANT'S BUSINESS ACTS AND PRACTICES

6. On November 14, 2016, hackers contacted UBER to inform it that they had
found a major vulnerability in UBER's security system that allowed them to access and
acquire personal data about UBER's users from UBER's private cloud-based storage
environment. The hackers demanded payment of money in exchange for the deletion of the
UBER data.

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7. The data that the hackers acquired included "personal information" as
 defined by California Civil Code section 1798.82(h), specifically, the unencrypted names
 and driver's license numbers of over 174,000 California UBER drivers. The data also
 included the names, email addresses, and mobile phone numbers, among other items, for
 over 50 million UBER users worldwide.

8. UBER conducted an internal investigation and determined that the hackers
obtained the UBER data by first accessing a private UBER workspace on GitHub, where
company software engineers store computer code for collaboration and development.

9 9. Although UBER's private workspace on GitHub was limited to UBERauthorized individuals, UBER allowed its employees to use their personal username and
passwords to access GitHub. UBER also did not require its employees to use multifactored authentication to access GitHub.

13 10. The hackers obtained service access credentials for UBER's cloud-based
14 storage provider, which UBER developers had published in plain text in the computer code
15 on Github. Using these credentials, the hackers were able to access company data that
16 included millions of UBER customer and driver data.

17 11. Upon discovering the breach, UBER made no public disclosures. Instead,
18 UBER privately contacted the hackers and offered them \$100,000 in return for their proffer
19 to delete the data and their silence.

12. The decision to not provide notice to those affected or to state regulators and
to pay off the hackers was made at the highest levels within UBER, specifically by former
Chief Security Officer, Joe Sullivan, in collaboration with Travis Kalanick, UBER's thenChief Executive Officer, and Craig Clark, a lawyer on UBER's security team.

13. In August 2017, UBER named a new Chief Executive Officer, Dara
Khosrowshahi. In connection with an investigation by the Board of Directors in September
2017, Mr. Khosrowshahi learned that there had been some type of data incident in 2016
involving a payment. He directed that an investigation take place, and the company hired a
third-party cyber security consultant who confirmed that a data breach had occurred.

114. On November 21, 2017, UBER notified regulators of the 2016 breach, and2on November 22, 2017, UBER began notifying drivers impacted by the breach.3FIRST CAUSE OF ACTION4VIOLATION OF UNFAIR COMPETITION LAW5BUSINESS AND PROFESSIONS CODE SECTION 17200615. The People reallege and incorporate by reference each of the paragraphs7above as though fully set forth herein.816. UBER has engaged in unlawful, unfair, or fraudulent acts or practices, which9constitute unfair competition within the meaning of Section 17200 of the Business and10Professions Code.1117. Specifically, UBER has violated the following laws:13UBER to disclose a breach of the security of its system and issue a security breach notification to14those individuals affected in the most expedient time possible and without unreasonable delay;	
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	and the second second
15 and	a contra
b. California Civil Code section 1798.81.5, subdivision (b), which requires	
UBER to implement and maintain reasonable security procedures and practices appropriate to the	
nature of the information, to protect the personal information from unauthorized access,	
19 destruction, use, modification, or disclosure.	
20 18. UBER intentionally violated California Civil Code section 1798.82, in	
21 failing to expediently notify affected individuals, until more than a year after the breach had	
22 occurred.	
23 19. UBER failed to institute reasonable security procedures and practices to	
24 protect personal data about its users by, among other things, failing to utilize robust	
25 password policies and multi-factored authentication when accessing a third-party software	
26 development platform, and for allowing employees to publish service access credentials in	
27 plain text in its computer code.	
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1	PRAYER FOR RELIEF		
2	WHEREFORE, the People pray for judgment as follows:		
3	A. Pursuant to Business and Professions Code section 17203, that UBER, its		
4	successors, agents, representatives, employees, and all persons and entities, corporate or		
5	otherwise, who act in concert with any of them, be permanently enjoined from engaging in unfair		
6	competition as defined in Business and Professions Code section 17200, including, but not		
7	limited to, the acts and practices alleged in this Complaint;		
8	B. Pursuant to Business and Professions Code section 17206, that the Court assess a		
9	civil penalty of \$2,500 for each violation of Business and Professions Code section 17200, as		
10	proved at trial.		
11	C. That Plaintiff recover its costs of suit,	including costs of investigation;	
12	D. For such other and further relief as the Court deems just and proper.		
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14		Respectfully Submitted,	
15		XAVIER BECERRA	
16		Attorney General of the State of California	
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18		Addun.	
19		LISA B. KIM Deputy Attorney General	
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21		GEORGE GASCÓN District Attorney of San Francisco	
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24		Evan H. Ackiron	
25		Assistant Chief District Attorney	
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COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF People v. Uber Technologies, Inc.

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7	limited to, the acts and practices alleged in this Complaint;		
8	B. Pursuant to Business and Professions Code section 17206, that the Court assess a		
9	civil penalty of \$2,500 for each violation of Business and Professions Code section 17200, as		
10	proved at trial.		
11	C. That Plaintiff recover its costs of suit, including costs of investigation;		
12	D. For such other and further relief as the Court deems just and proper.		
13			
14	Respectfully Submitted,		
15	Dated: September, 2018 XAVIER BECERRA		
16	Attorney General of the State of California		
17	*		
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19	LISA B. KIM Deputy Attorney General		
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21	Dated: September 29, 2018 GEORGE GASCÓN District Attorney of San Francisco		
22	0		
23	Sh.		
24	EVAN H. ACKIRON		
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